



Docket Number 4-31192B/N1/GTI

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL 835204862 US
Express Mail Label Number

April 20, 2001
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1645

PIPPIG ET AL.

APPLICATION NO: 09/715,249

FILED: NOVEMBER 17, 2000

FOR: SELECTABLE CELL SURFACE MARKER GENES

Attention: Box Missing Parts

Commissioner for Patents

Washington, DC 20231

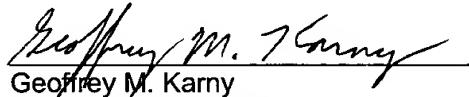
TRANSMITTAL LETTER

Sir:

Enclosed please find the following:

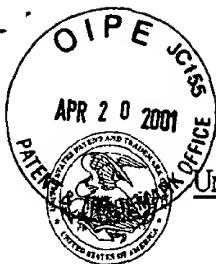
1. Original and one copy of Response to Notice to File Missing Parts and Petition;
2. Executed Declarations and Powers of Attorney with \$130 fee under 37 CFR §1.16(e);
3. Copy of Notice to File Missing Parts of Nonprovisional Application
4. Petition fee of \$130 under 37 CFR §1.17(i);
5. Preliminary Amendment; and
6. Return postcard.

Respectfully submitted,


Geoffrey M. Karny
Attorney for Applicants
Reg. No. 31,382
(301) 258-4640

Novartis Corporation
Patent and Trademark Dept.
564 Morris Avenue
Summit, NJ 07901-1027

Date: April 20, 2001



04-23-01

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/715,249	11/17/2000	Susanne Dagmar Pippig	4-31192/CIP

Thomas Hoxie
Novartis Corporation
Patent and Trademark Dept
564 Morris Avenue
Summit, NJ 07901-1027

FORMALITIES LETTER



OC00000005789231

Date Mailed: 02/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/25/2001 EEKUBAY1 00000111 190134 09715249

FILED UNDER 37 CFR 1.53(b)

01 FC:122 130.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.

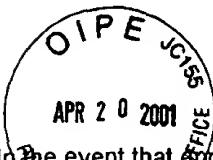
The following item(s) appear to have been omitted from the application:

- Page(s) page 41 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.



In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Case No. 4-31192-CIP

Application No.

Mailing Date: November 17, 2000

Due Date:

Express Mail No.: EL 488123749 US

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

Amendment/Response/Letter - Fee \$ 1320
 Appln. Filing Papers - Fee \$ 1320

- PCT National Stage
- Provisional Application
- CPA DIV CONT CIP
- Specification - 55 Pg's 1320 PLUS 6 FIGURES
18 PAGES and 1 SHEET
PRINTED + 1 COPIES of TRANSMISSION
1 FEE SHEET

 Executed/Unexecuted Decl. - Fee \$ 1320

- Missing Parts/Missing Req.

 Preliminary Amendment _____ Pg's 1320
 Claim of Priority Certified Copy(s)
 Amendment After Final
 Notice of Appeal - Fee \$ _____
 Appeal Brief - Fee \$ _____
 Issue Fee Payment \$ _____
 Assignment Rec. Req. - Fee \$ _____
 Formal Drawings _____ Pg's 1320
 IDS _____ Pg's - Fee \$ 1320
 PTO-1449 Form _____ Pg's 1320
 Pet. for Ext. of Time - Fee \$ 1320
 Pet. to Convert to Prov. Appln. - Fee \$ 1320

11/17/00
5860 U.S. PRO
09/715249

Seq. Listings 19 Pg's/Seq. Disk
 Submission of ~~Specimens~~ including
 ~~Specimens~~ ~~Specimens~~ ~~Specimens~~
PIKETED FOR: Jan. 17, 2000

Initials

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